

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BRADLEY MEDINA, et al.,

Plaintiffs,

v.

COURTNEY L. MAPES, M.D.,

Defendant.

Case No. 1:21-cv-00844-NONE-EPG

ORDER RE: NOTICE OF DISMISSAL OF
DEFENDANT UNITED STATES OF
AMERICA WITHOUT PREJUDICE AND
AMENDING CAPTION

(ECF No. 13)

On November 17, 2021, the parties filed a stipulation to dismiss Defendant United States of America.¹ (ECF No. 13.) Therefore, pursuant to Plaintiff's notice, this case is dismissed only as to Defendant United States of America. *See* Fed. R. Civ. P. 41(a)(1)(A); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997). In light of the dismissal, the caption is amended as set forth above.

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¹ The stipulation does not state whether the dismissal was with or without prejudice. (*See* ECF no. 13.) "Unless the notice or stipulation states otherwise, the dismissal is without prejudice. But if the plaintiff previously dismissed any federal- or state-court action based on or including the same claim, a notice of dismissal operates as an adjudication on the merits." Fed. R. Civ. P. 41(a)(1)(B).

1 Accordingly, the Clerk of the Court is respectfully directed to terminate only Defendant
2 United States of America on the docket.

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4 IT IS SO ORDERED.

5 Dated: November 18, 2021

/s/ Eric P. Grogan
6 UNITED STATES MAGISTRATE JUDGE